

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 12, 2002**

AGENDA ITEM NO.: 20

CONSENT:

REGULAR: **x**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Regulation of Itinerant Dealers in precious metals and gems.**

RECOMMENDATION: Adoption of the attached ordinance.

SUMMARY: In 1983 the State and the City adopted laws and ordinances regulating dealers in precious metals and gems. This legislation was an attempt to decrease the number of stolen items being sold to dealers by requiring proper record keeping, identification of sellers, cooperation with law enforcement officials, etc. Earlier this year the question arose as whether or not these regulations apply to Itinerant dealers in precious metals and gems as well as dealers with a fixed place of business. Neither the State or City codes are clear on this issue. After talking with representatives from the Attorney General's Office and the Lynchburg Police Department it was determined that these regulations should apply to itinerant dealers as well as dealers with a fixed place of business. Therefore, it is recommended that Section 23.1-13 be added to City Code specifically stating that the City Ordinances regulating dealers in precious metals and gems apply to itinerant dealers.

PRIOR ACTION(S): N/A

FISCAL IMPACT: None

CONTACT(S): Walter C. Erwin, 847-1310 Ext. 235

ATTACHMENT(S): Ordinance adding Section 23.1-13 to the City Code.

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 23.1-13, RELATING TO ITINERANT DEALERS IN PRECIOUS METALS AND GEMS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 23.1-13 as follows:

Sec. 23.1-13. Itinerant dealers in precious metals and gems.

The provisions of this chapter shall apply to itinerant dealers in precious metals and gems that do not maintain an established place of business within the city that is regularly open to the public. Because itinerant dealers in precious metals and gems do not have an established place of business within the city some of the provisions of this chapter may not be applicable to them. Therefore, the chief of police or his designee may modify or waive by written notice any of the provisions of this chapter that the chief of police or his designee do not believe can be reasonably applied to itinerant dealers in precious metals and gems; provided, the spirit and intend of this chapter are observed and the regulation of itinerant dealers in precious metals and gems is not compromised.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

217L